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FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHAM, HUNG Q	
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			2168	

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/493,220	Applicant(s) LENNON, ALISON JOAN	
	Examiner HUNG Q. PHAM	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/01/2005 has been entered.

Response to Arguments

Applicant's arguments filed 09/06/2005 have been fully considered but they are not persuasive.

- As argued by applicants with respect to claims 1, 36 and 71:

From page 17, line 17 to page 18, line 16:

... according to DeRose, when items are displayed to a user, the displayed items are derived from the resource itself. There is no provision in DeRose for rendering items for viewing wherein the items are displayed without accessing the resources.

This can be seen by a careful reading of DeRose. In DeRose, a document having a descriptive markup maybe parsed and an element directory generated. In addition, a table of contents maybe generated. (See DeRose, Column 12, Line 56 to Column 13, Line 6 and Column 16, Lines 33 to 62). However, it is not feasible to render items for display to a user using the element directory and table of contents alone. Instead, the element directory and table of contents are used to navigate the document while rendering requires accessing the actual document. ... Therefore, it cannot be said that DeRose discloses or suggests that items are displayed without accessing the resources or displaying, in response to a received indication, further items for selection in accordance with an attribute representative of the further axis of access, wherein the further items are displayed without accessing the resources.

From page 18, line 24 to page 19, line 4:

... it cannot be said that DeRose discloses or suggests that items are displayed without accessing the resources or displaying, in response to a received indication, further items for selection in accordance with an attribute representative of the further axis of access, wherein the further items are displayed without accessing the resources.

Examiner respectfully disagrees.

As disclosed by DeRose at Col. 16, Lines 33-62, the table of contents that contains elements for displaying is constructed by traversing the document tree. The table of contents comprises a plurality of table of contents records, based on element directory data structure as in FIG. 6. When the table of contents construction is completed, the constructed table of content records is written to a file, and with this table of contents, an element having a tile is displayed. As further disclosed by DeRose, when the table of contents is displayed as in FIGS. 12-14, a section of the table of contents may then be expanded, for example, responsive to a mouse event or other indication by a user, by displaying the titles for any immediate sub-elements of a selected displayed element and for subsequent elements which were in the original display (Col. 17, Lines 5-15). As shown in FIG. 5, the document tree for traversing is illustrated and generated from the resources, e.g., SGML document of FIG. 4. As seen, the elements and expanded elements as *items* and *further items* of table of contents are read and displayed from the constructed table of content records that is built by traversing the document tree and element directory data structure. Thus, *the items are displayed without accessing the resources, and the further items are displayed without accessing the resources.*

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- As argued by applicants with respect to claims 32, 67 and 74 at page 20,

Lines 9-24:

As amended, Claim 32 includes the features of displaying one or more tables of contents without accessing the resources and displaying an index containing index items wherein the index items are displayed without accessing the resources. As discussed above in regard to Claim 1, displaying of items without accessing the underlying resource is neither disclosed nor suggested by DeRose. Furthermore, as disclosed in Column 16, lines 33 to 39, the first step in the construction of the table of contents of DeRose is step 210 of Fig. 16 is traversing the document beginning with its root element. Therefore, DeRose teaches that any display of the table of contents of a document requires first accessing the entire document for traversal.

Examiner respectfully disagrees.

As discussed above in regard to claim 1, displaying of items without accessing the underlying resource is disclosed by DeRose. Additionally, the traversed root element for building the table of contents is from the document tree of FIG. 5 generated from the resource. Therefore, DeRose teaches that any display of the table of contents does not require accessing the document.

For the above reasons, examiner believed that the added features of claims 1, 32, 36, 67, 71 and 74 are taught by DeRose.

Claim Objections

Claims 1, 32, 36, 67, 71 and 74 are objected to because of the following informalities:

As in claims 1, 36 and 71, the clause *a table of contents*, at line 8, references to *table-of-content classification* at line 6. In order to have a consistency of terminology, "the table-of-content classification" is suggested.

As in claims 1, 36 and 71, "the" *table-of-content classification*, at lines 11 and 23, is suggested to reference to *table-of-content classification* at line 6.

As in claim 32, 67 and 74, "an" *annotation*, e.g., at lines 15 and 16 of claim 32, is suggested.

As in claims 32, 67 and 74, the clauses *the selected index item*, e.g., at lines 24 and 26 of claim 32, reference to *the selected displayed index item* at line 22 of claim 32. In order to have a consistency of terminology, "the selected displayed index item" is suggested.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 32, 36, 67, 71 and 74 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As in claims 1, 36 and 71, the claimed *the items are displayed without accessing the resources*, and *the further items are displayed without accessing the resources* were not described in the specification.

As in claims 32, 67 and 74, the claimed *the table of contents items are displayed without accessing the resources*, the *index items are displayed without accessing the resources* were not described in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-9, 11, 12, 14-18, 32-37, 39-44, 46, 47, 49-53, 67-71, 74, 119-121 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over DeRose et al. [USP 5,644,776].

Regarding claims 1, 36 and 71, DeRose teaches a system and method for indexing and navigating *electronically-accessible resources*, e.g., SGML documents, *using* element directories of FIG. 6 as *descriptions of the resources*. The DeRose system and method comprises:

reading the descriptions of the resources (As illustrated at Col. 16, Lines 45-56, the process of *reading the* element directory as *descriptions of the resources* is disclosed to create the TABLE OF CONTENT),

the descriptions having descriptor components having attributes representative of at least two axes of access to the resources, wherein at least one axis of access is a table-of-contents classification (As shown at FIG. 6, Col. 9, Line 25-Col. 10, Lines 41, a description of a resource of FIG. 4 is illustrated, *the description having descriptor components*, e.g., element descriptors 90, *having attributes*, e.g., Column 102 of FIG. 6, *representative at least two axes of access to the resources*, e.g., as shown at FIG. 12, two axes of access are TABLE OF CONTENT and search by term), and

the descriptions being separate from the resources (Col. 10, Line 38-Col. 11, Line 27, element directory is generated and written to a file object), and

wherein each descriptor component that has an attribute representative of a table of contents also has a link to a corresponding portion of the electronically-accessible resources (FIG. 6, Col. 9, Lines 25-61);

displaying items for selection in accordance with an attribute representative of a first axis of access that is a table-of-contents classification, each item being associated with a corresponding descriptor component of a description read in said reading step (As in FIG. 12, Col. 17, Lines 5-15, the step of *displaying items for selection* is illustrated *in accordance with the selecting of TABLE OF CONT box of FIG. 13 as an attribute representative of a first axis of access that is a table-of-contents classification*. As further disclosed by DeRose at Col. 16, Lines 45-56, each item of FIG. 12 associates with an element descriptor or *a corresponding descriptor component of a description read in reading step by an element identifier*); and

wherein the items are displayed without accessing the resources (As disclosed by DeRose at Col. 16, Lines 33-62, the table of contents that contains elements for displaying is constructed by traversing the document tree. The table of contents comprises a plurality of table of contents records, based on element directory data structure as in FIG. 6. When the table of contents construction is completed, the constructed table of content records is written to a file, and with this table of contents, an element having a tile is displayed. As seen, the elements as *items* of table of contents are read and displayed from the constructed table of content records that is built by traversing the document tree and element directory data structure. Thus, *the items are displayed without accessing the resources*);

receiving a selection of one or more descriptor components using the displayed items (Col. 17, Lines 5-15, when the table of contents is displayed on the screen, a section of the table of contents may then be expanded responsive to a mouse event or other indication by a user, by displaying the titles for any immediate sub-elements of a selected displayed element and for subsequent elements which were in the original display);

receiving an indication of a further axis of access (As shown in FIG. 12, the indent items bellows "BRAKES" is *an indication of a further axis of access*); and

displaying, in response to the received indication, further items for selection in accordance with an attribute representative of the further axis of access, wherein the further items correspond to child descriptor components of the selected one or more descriptor components (e.g., GENERAL, HOW CALIPER BRAKES WORK...);

wherein the further items are displayed without accessing the resources (As disclosed by DeRose at Col. 16, Lines 33-62, the table of contents that contains elements for displaying is constructed by traversing the document tree. The table of contents comprises a plurality of table of contents records, based on element directory data structure as in FIG. 6. When the table of contents construction is completed, the constructed table of content records is written to a file, and with this table of contents, an element having a tile is displayed. As further disclosed by DeRose, when the table of contents is displayed as in FIGS. 12-14, a section of the table of contents may then be expanded, for example, responsive to a mouse event or other indication by a user, by displaying the titles for any immediate sub-elements of a selected displayed element and for subsequent elements which were in the original display (Col. 17, Lines 5-15). As shown in FIG. 5, the document tree for traversing is illustrated and generated from the resources, e.g., SGML document of FIG. 4. As seen, the elements and expanded elements as *items* and *further items* of table of contents are read and displayed from the constructed table of content records that is built by traversing the document tree and element directory data structure. Thus, *the further items are displayed without accessing the resources*);

reading, in response to a further selection of a descriptor component having an attribute representative of a table-of-contents classification, a portion of the electronically-accessible resources via the link of the selected descriptor component (As illustrated at FIGS. 6 and 14, Col. 9, Line 50-Col. 10, Line 10, *in response to a further selection of a descriptor component having an attribute representative of a table-of-content classification, e.g., ROUTINE ADJUSTMENTS, the text of this section as a portion of the electronically-accessible resources via the pointer as link of the selected descriptor component is rendered using pointer to locate the location of the text*).

Regarding claims 2 and 37, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *description is represented by a tree of descriptor components, and one or more of said descriptor components have descriptor components as descendents* (FIG. 3).

Regarding claims 4 and 39, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *one of said axes of access is an index classification* (Col. 17, Lines 32-48).

Regarding claims 5 and 40, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *the descriptions of the resources are generated using a description scheme as a template, and the description scheme uses a declarative description definition language which contains definitions for descriptor components of the descriptions of the resources* (FIG. 4).

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Regarding claims 6 and 41, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are defined in the description scheme* (FIG. 4).

Regarding claims 7 and 42, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are a persistent item of the description scheme* (FIG. 4).

Regarding claims 8 and 43, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are instantiated by an application when required* (Col. 8, Lines 30-42).

Regarding claims 9 and 44, DeRose teaches all the claim subject matters as discussed above with respect to claims 8 and 43, DeRose further discloses *the attributes of the descriptor components are instantiated using a rule that is associated with the description scheme* (Col. 8, Line 43-Col. 9, Line 13).

Regarding claims 11 and 46, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic document or resource available over the World Wide Web* (Col. 7, Lines 60-66 and Col. 24, Lines 4-18).

Regarding claims 12 and 47, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic device* (FIG. 1).

Regarding claims 14 and 49, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *axes of access are determined by rules operating on the description* (FIG. 13).

Regarding claims 15 and 50, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *axes of access are determined during the generation of the description of the resource* (Col. 12, Line 56-Col. 13, Line 6).

Regarding claims 16 and 51, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *attributes of said descriptor components representative of said at least two axes of access are inferred from the content of the description* (FIGS. 4, 12-13).

Regarding claims 17 and 52, DeRose teaches all of the claimed subject matter as discussed above with respect to claims 16 and 51, DeRose further discloses *attribute of a said descriptor component is inferred to be a table of content descriptor if the said descriptor component contains a reference to a resource or a section of a resource* (FIG. 6).

Regarding claims 18 and 53, DeRose teaches all of the claimed subject matter as discussed above with respect to claims 17 and 52, DeRose further discloses *attribute of a said descriptor component is inferred to be an index descriptor if the said descriptor component is not inferred to be a table of contents descriptor* (FIG. 11).

Regarding claims 32, 67 and 74, DeRose teaches a system and method for indexing, navigating and annotating an electronically-accessible resource, e.g., SGML documents, *using* element directory of FIG. 6 as *a description of the resources*. The DeRose system and method comprises:

reading the description of the resource but not reading the resource (As illustrated at Col. 16, Lines 45-56, the process of *reading the* element directory as *descriptions of the resources but not reading the resource* is disclosed to create the TABLE OF CONTENT),

the description being separate from the resource (Col. 10, Line 38-Col. 11, Line 27, element directory is generated and written to a file object) and

having descriptor components each of which comprises a name of a feature of the resource and an associated representative value for the feature, the description also having one or more of the descriptor components including a table of contents attribute and one or more of the descriptor components including an index attribute, wherein the descriptor components that include a table of contents attribute also have a link to a corresponding portion of the resource (As illustrated at FIG. 6, Col. 9, Line 25-Col. 10, Lines 41, element directory as *the description having a plurality of element descriptors as the descriptor components each of which comprises a type name* 102 as *a name of a feature of the resource* as shown in FIG. 6, and offset and

length of the type name 102 as *an associated representative value for the feature,*
the element directory as description also having one or more of the element
descriptors 90 as descriptor components, including a table of contents attribute as
shown at FIG. 6, and one or more of the descriptor components including an index
attribute, e.g., each element descriptor is assigned an element identifier
(Col. 9, Lines 57-59), wherein the element descriptors as descriptor
components that include a table of contents attribute as shown at FIG. 6 also have a
link to a corresponding portion of the resource, e.g., FIG. 6, , Col. 9, Lines 36-
39, field 104 representing the location of text characters or the
location of other associated data);

displaying one or more tables of contents containing table of contents items, each table of contents
item being associated with a corresponding descriptor component that has a table of contents attribute (As
illustrated at FIG. 12, Col. 16, Lines 45-62, is the step of displaying one or more tables of
contents containing table of contents items, each table of contents item being associates with a corresponding
descriptor component that has a table of content attribute as in FIG. 6);

wherein the table of contents items are display without accessing the resources (As
disclosed by DeRose at Col. 16, Lines 33-62, the table of contents that
contains elements for displaying is constructed by traversing the document
tree. The table of contents comprises a plurality of table of contents records,
based on element directory data structure as in FIG. 6. When the table of
contents construction is completed, the constructed table of content records is
written to a file, and with this table of contents, an element having a tile is
displayed. As seen, the elements as table of contents items of table of contents are

read and displayed from the constructed table of content records that is built by traversing the document tree and element directory data structure. Thus, *the table of contents items are displayed without accessing the resources*); *receiving a selection of one displayed table of contents item for the annotation* (FIG. 22, Col. 23, Line 60-Col. 24, Line 34);

displaying an index containing index items (Returning back to FIG. 13, LOOKUP TABLE in FIG. 13 indicates the step of *displaying an index containing index items*)

each displayed index item being associated with a corresponding descriptor component that has an index attribute and is associated with the selected table of content item (Col. 9, Lines 25-42);

wherein the index items are displayed without accessing the resources (Col. 12, Line 56-Col. 13, Line 6);

receiving a selection of one displayed index item (e.g., clicking *shoes* in the LOOKUP WINDOW of FIG. 12 as the step of *receiving a selection of one displayed index item*);

associating the selected displayed index item with the selected table of contents item (FIG. 12, shoes as the selected displayed index item is associated with BRAKE SHOES as the selected table of contents item to have a TEXT VIEW of *shoes*);

receiving a choice of a representative value for the selected index item (As disclosed by DeRose at Col. 17, Lines 32-48, another feature provided by the indexing and rendering methods enables cumulative search statistics to be displayed in combination with the table of contents as shown in FIGS. 12-13. A user may instruct the system to search on a given word in a document. The elements in which the selected word occurs may be determined from the frequency record for the selected word. By providing a style sheet

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for the table of contents which directs the rendering process to examine a selected variable, e.g. "word", which may store a value indicative of a selected search word, when a table of contents then is displayed, the number of occurrences in the element corresponding to the item for the selected word may be retrieved from its frequency record and displayed. Thus, a user may know how many times a word occurs in each section of a document whose table of contents item is displayed. A user may then determine relevant portions of the displayed document. As seen, the system is *received* an instruction to display a value indicative the occurrences of a selected search word as *a choice of a representative value for the selected index item*);

associating the chosen representative value with the feature which corresponds to the selected index item, wherein the chosen representative value and its corresponding feature provide an annotation of the resource (the number of occurrences as the chosen representative value is associated with each section of table of contents item as the feature which corresponds to the selected index item, and as illustrated at the top right of FIG. 12, the number of occurrences of the word shoes indicates the chosen representative value and its corresponding feature provide an annotation of the resource).

Regarding claims 33 and 68, DeRose teaches all of the claimed subject matter as discussed above with respect to claims 32 and 67, DeRose further discloses *description read in said reading step is represented by a tree of descriptor components, and one or more of the descriptor components have descriptor components as descendants* (FIG. 3).

Regarding claims 34 and 69, DeRose teaches all of the claimed subject matter as discussed above with respect to claim claims 32 and 67, but does not explicitly

discloses the step of *associating the selected display index item is allowed only if the corresponding descriptor of the selected display index item is a valid descriptor for the table of contents item selected for annotation*. However, as illustrated at FIG. 13, a user can enter a term into the search box of LOOKUP WINDOW, and if the search term is invalid, obviously, there will be no annotation. It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the condition of associating the number of occurrences of a word in order to annotate the table of content.

Regarding claim 35, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 32, DeRose further discloses the step of *choosing a representative value is predetermined* (Col. 17, Lines 32-48).

Regarding claim 70, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 67, DeRose further discloses *operation of said means for selecting one said table of contents item is optional and if not performed said means for displaying an index displays all said index items associated with all said table of contents items* (the operational boxes at the bottom right of FIG. 13).

Regarding claim 119, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 1, DeRose further discloses *the corresponding portion of the electronically-accessible resources is a spatially localized extent of the resources* (FIG. 3).

Regarding claim 120, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 1, DeRose further discloses *the corresponding portion of the electronically-accessible resources is a temporally localized extent of the resources* (FIG. 22, after annotation).

Regarding claim 121, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 32, DeRose further discloses *the corresponding portion of the resource is the resource* (FIG. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 10 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose et al. [USP 5,644,776] in view of Rowe et al. [USP 6,073,148].


Regarding claims 10 and 45, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, but does not explicitly disclose *the resources comprise an item of digital audiovisual content* (Col. 1, Lines 5-10). Rowe teaches an electronic document comprises an item of digital audiovisual content (Rowe, Col. 1, Lines 29-39). It would have been obvious for one of ordinary skill in the art at the time the invention was made to include item of digital audiovisual content in order to illustrate the content of an electronic document.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JEFFREY A. GAFFIN can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


HUNG Q. PHAM
Examiner
Art Unit 2168

January 12, 2006